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late yesterday afternoon and continued until noon today. Long columns of troops were plainly seen from Douglas moving to the westward. Several hundred left, however, to cover the passage near Agua Prieta or certain of Villa's troops from the eastward that had not joined him there. The result was almost continuous fighting all forenoon with little cannonading since then. Some of Calles' infantry advanced from the trenches but were able to accomplish nothing.

"A hundred cavalry then made a sortie but were driven back after a sharp engagement. In the meantime the Villa troops from the westward arrived and began passage around town, being vigorously shelled by the Calles batteries, but succeeded in making the passage. During the day a portion of Calles' artillery in the re-doubt at the south salient fired about 500 shots at various columns and detachments of Villa troops within range.

"Practically all these affairs were in plain view of us. The shooting of Calles' artillery was fairly tame and conduct of Villa under rather severe shell fire was excellent. It may be understood at the war department why, in view of existing events, I have not fired upon the contending parties, considering the fact that no bullets and shells struck on the American side and three men of the Mexican infantry were wounded. This was not done because of the evident fact that both commanders were doing all they could to prevent injury to Americans.

"The principal faults were committed by Calles' men and I could not in fairness have opened fire on Villa without treating Calles the same. For example, yesterday while Major Hay and other officers were 200 yards

north of boundary and 900 yards from east flank of Calles' trenches, they were deliberately fired upon from them and nearly hit. Also yesterday a detachment of Ninth cavalry 1200 yards in front of west bank of Calles' trenches and at least 300 yards north of the boundary was fired upon there first by machine guns and then six times by artillery. Further, this afternoon a customs inspector at the same point was fired upon. Representations have been made to Calles and he has expressed regret and given necessary assurances.

"The whereabouts of Villa and his main force is unknown tonight. There are persistent rumors that he is at Cabotona, eighteen miles south of here where there is ample water, recuperating his men in order to return to the attack, but a small detachment of his forces, with some wagons, has reached Nauc and is purchasing food, while an officer patrolling east from Nauc reports seeing a camp of about 6,000 across the boundary from Obregon. The Villa force consists of about 12,000 men, 25 guns and an unknown number of machine guns. He has suffered terribly during operations here from thirst and hunger, but their spirit is shown by the fact that less than a dozen deserted to our side. All women, children and camp followers usually to be found with a Mexican fighting force were left at Calles Grandes, and he has with him nothing but fighting men."

Laredo, Tex., Nov. 4.—One-half million rounds of rifle ammunition passed through Laredo today from Monterey to Agua Prieta for General Calles' troops. The ammunition was shipped in bond through the United States.

Washington, Nov. 4.—Messages to the Mexican confidential agency today said General Obregon has offered amnesty to all revolutionaries who return home and transportation to their homes and that many are accepting. He has given notice that no more reprisals are necessary because of the satisfactory condition of the campaign. A strong force has been sent from the main army to occupy Durango city.

General Carranza has forbidden importation of cotton, cottonseed and cotton seed oil in order to supply the southern textile mills, which have been using imported cotton.

Douglas, Ariz., Nov. 4.—Preparations were made today to remove to

PETTINI ACQUITTED OF BERARDINELLI SLAYING

Long Fight for Life and Exoneration Ends Today When Jury Returns Verdict After 12 Hours' Deliberation.

Antimo Pettini's nine-year fight for life and exoneration ended this morning when the jury that tried him for the murder of the contractor, Berardinelli, brought in a verdict of not guilty. The jury took the case at 9 o'clock last night and brought in its verdict at 9 this morning.

Pettini's counsel made a long hard fight for his freedom. It began after the murder nine years ago, when Pettini was placed on trial for his life. He was found guilty in the second degree, but Pettini and his counsel, insisting on his innocence, prepared to fight any verdict but acquittal to the court of last resort. They carried the case to the New Mexico supreme court, where the verdict was sustained. Undismayed, the defense took the case to the United States court of appeals, and there they scored their first triumph. The verdict was set aside and Pettini was ordered re-tried.

Under the statute and the constitution the second degree verdict made it impossible to try Pettini again for first degree murder. In order to reach a second degree verdict the first jury had to find him not guilty of murder in the first degree, and Pettini came into court for his second trial as one who had been acquitted, and could not be again be tried for life.

The extreme verdict possible at the retrial was second degree murder. The taking of testimony occupied two days. There was no new evidence, the testimony running substantially as it did at the first trial. Closing arguments were made yesterday afternoon and in the evening Judge Raynolds instructed the jury. They were told they could bring in a verdict for second degree, third degree or acquittal. Judge Raynolds waited until 10:30 o'clock and then ordered the jury locked up for the night.

Pettini was defended by Catron & Catron and Judge George R. Craig, of Miller & Craig. Pettini and his counsel were showered with congratulations after the verdict was received.

Agua Prieta the 3,000 women and children who took refuge on the American side when Villa began his attack Monday.

Villa sent out scouts to the eastward to verify reports that two Villa guns and guards left about three miles from the Agua Prieta defenses had disappeared during the night.

If the Mexican commander deems it safe the refugees will return this afternoon.

Major Luis Block of Calles' staff today informed immigration officials that the Mexican authorities would thank them for furnishing safe asylum for the Agua Prieta non-combatants who crossed the boundary during the battle.

Fifty-one bodies of Villa soldiers were burned on the battlefield today, the rest still lie where they fell.

Villa troops were arriving at Nauc at the rate of about 150 an hour. Villa, however, had not appeared at noon.

Large supplies of food are said to have been assembled here for his army.

Numbers of deserters from Villa's army have been turned back into Mexico by the United States forces. General Funston has not yet ordered the return to Nauc of the cavalry troops that arrived here Tuesday.

VILLA CREATES NACO INTO CAPITAL OF MEXICO

Naco, Ariz., Nov. 4.—Naco, Sonora, just across the border, was declared today to be the capital of Mexico by General Francisco Villa, who arrived there with the vanguard of his army in their withdrawal from attacks on Agua Prieta.

Naco will be made a base of supplies and troops will rest here for thirty days, it was said.

Several thousand Villa soldiers have arrived at the Mexican town and many of them have made camp within a few hundred feet of homes on the American side. Other columns of troops were reported on their way there.

Vacant store rooms were turned into hospitals today and prepared to receive a large number of wounded.

Four officers and seven privates died today soon after their arrival. Death, it was said, was caused more by exposure and privation than by their wounds.

Two troops of United States cavalry are stationed to patrol the border.

VILLA FORCES RAPIDLY GETTING OUT OF DISTRICT

Douglas, Ariz., Nov. 4.—Villa's army appeared to be still moving today toward Nauc. Reports from there stated that 1,500 already had arrived and 7,000 more were in sight. Whether Villa had definitely abandoned an idea of capturing Agua Prieta remained a question.

On the American side tension which had been high since Monday's battle has relaxed. The Douglas schools opened today for the first time this week.

Agua Prieta officials, however, did not yet consider it safe to have the 3,000 women and children in the refugee camp at Pirilevle returned to the Mexican town, and no attempt was made this morning by General Calles to capture the apparently small detachment Villa left guarding two or more held houses, which still remained in the positions taken in Monday's battle at Agua Prieta.

If Villa were in retreat, with his forces more or less demoralized, military observers on this side believe it would be easy for Calles to move out and scatter his forces.

The fact that the Carranza garrison

VICE PRESIDENT PLANS A VISIT TO BARTH

RELIEF BOARD WILL BE BIG HELP TO CIVIC LEAGUE

Senator Trying to Get Him to Change Plans So He Will Come When the Teachers Are Here.

Efforts to have Vice President Thomas R. Marshall speak to the teachers here for the state convention are being made by Senator Isaac Barth, who is a personal friend of the vice president. Vice President and Mrs. Marshall have planned to call upon Senator Barth on his way east in two weeks and the senator will ask Mr. Marshall to change his plans to enable him to be here when the teachers are in town.

Senator Barth sent a letter yesterday from the vice president, who has been staying at his Arizona home at Scottsdale, near Phoenix, apprising the former that the vice president would arrive here at 2:15 o'clock on the afternoon of November 18 and would remain until 6:45 o'clock in the evening, visiting with the senator in the interval.

Senator Barth replied to the letter yesterday afternoon, asking the vice president to extend his visit over the 17th. Then the senator learned that the arrangements committee of the teachers' convention would give a good deal to have the vice president's plans changed, if changed at all, to enable him to speak to the teachers. Senator Barth immediately made up his mind to write the vice president another letter. This morning Senator Barth said that he would write Mr. Marshall today asking him to put off his visit here until Saturday, November 20, which will give him an opportunity to address the teachers assembled here for the opening of the convention.

Vice President Marshall's reply is expected early next week.

has remained in his trenches, gave ground for the assumption that Calles believed Villa's movements were strategical, designed to draw the Carranza forces into the open.

Carranza agents at Nauc, Ariz., reported that 200 Villa wounded had arrived in the Mexican town opposite there.

Among them were two generals, Isaac Anayo and Antonio Orono.

Rodolfo Garduno, Carranza consul here, telegraphed to Washington today to protest against the treatment of refugees in the concentration camps at Pirilevle. Garduno asserted that the immigration authorities here violated the laws of the United States and dictated of common humanity by leaving Mexican women and children without food or water for about twenty-four hours after they crossed the boundary during the battle Monday.

El Paso, Texas, Nov. 4.—General Laura M. Guerra of Monterrey, a member of the staff of General Felipe Angeles, was killed while resting at rest in Juarez five days ago, according to an official announcement today.

Guerra had been under secret investigation for some time before guard of two soldiers was sent to his house with an order for him to come to the quartel. It was said he refused to obey and drew his revolver. Thereupon the two soldiers fired, killing Guerra.

El Paso, Texas, Nov. 4.—A report that three Mormons of the Cassas Grandes district who had driven wagons out of that town as far as the Chihuahua-Sonora line had never turned back, brought here by twelve Mexicans refugees from Cassas Grandes late last night, gave rise today to a report that two of them had been killed. This was discounted by the refugees themselves.

James Whipple, Lynn Hatch and Charles Turley were the drivers, and Charles Turley was the son of P. H. Hurst, of El Paso, and one of the refugees. Ray Hurst said.

"As General Villa had commanded practically all the horses and wagons in the Mormon colonies the three colonists went along with the Villa army voluntarily in the hope of getting back their property when the Chihuahua-Sonora line was reached. Mexican refugees returning to Cassas Grandes reported the Americans were

In. Pratt from El Paso leaves for Douglas today to learn of the whereabouts of the Americans and to get back the wagons and horses if possible.

There are no more than 300 Villa soldiers in the Mormon colonies in the Cassas Grandes valley."

I am RED PEP
Live Wire Philosopher
live been hired for 52
weeks. Take my advice
each week. be cheerful!



Pythian Aid Organization to Assume an Important Part in Caring for Needy, Transient and Local.

To a perceptible extent the burden of caring for the needy persons in this city will be lightened for the Civic Betterment league by the Pythian relief board, the organization newly launched by Mineral Lodge, K. of P. and the Pythian national committee jointly.

The relief board will primarily devote its attention to caring for members of the Pythian order in good standing who fall upon evil times here, paying particular attention to transients—that is, Pythians who come in from out of town. Moved by a broad spirit of charity, however, the board will be prepared to do all in its power to help every case of distress. The Civic league and others are invited to report cases to the board, and the organization will do what it can in the brotherly work of easing the condition of the unfortunate.

The office of the board secretary, James J. Daly, is room 45, Barnett building.

The funds with which the relief board will prosecute its work are to be created and maintained by voluntary subscriptions and donations from members of the Pythian order. The board of directors and officers of the board are as follows:

Board of directors: C. G. Cushman, C. A. McLean, B. F. Poole, C. T. French, C. L. Berndtson, J. J. Daly. Officers: C. L. Berndtson, president; B. F. Poole, vice president; James J. Daly, secretary-treasurer.

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TAX ASSOCIATION DIRECTOR HERE FOR A DAY

A. E. James Discusses City and School Levies With Albuquerque and Bernalillo County Officials.

A. E. James, director of the Taxpayers' association of New Mexico, is spending today in Albuquerque in consultation with city, school district and county officers on the local and county levies for taxation for the coming year. Mr. James has been in southern New Mexico for the past week, having visited Deming and Socorro counties. He has been able to give material assistance to county officers in both counties and today he advised with City Clerk Thomas Hughes and President M. E. Hayes of the board of education on bond tax levies. He is spending the afternoon with County Clerk A. K. Walker on county and tax levy details.

The city council at a special meeting tonight will give further attention to the city levies and Mr. James will be asked to remain over to meet with the aldermen if his engagements will permit.

THIS WOULD HAVE BEEN GOOD, HUNT BUT FOR RABBIT

Sergeant Ed Donahue of the police department, Bill McAllister of the fire department, Jaller Green Watson and Harry Ritter were hunting small and rabbits yesterday in the Rio Puerco country. They got close to a big cave of mud and were looking up on it when a rabbit ran between them and the birds. The rabbit scared away the quail and they shot off their guns and started away the rabbit.

McAllister begged him until Sergeant Donahue agreed to let him go. The sergeant then said, "I'll go with you, but you must promise to let me go when we get home." McAllister agreed and they went home.

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